

Message Text

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ACTION IO-03

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C O N F I D E N T I A L VIENNA 1189

LIMDIS

E.O. 11652: GDS
TAGS: UN, PORG
SUBJECT: UN CONFERENCE ON THE REPRESENTATION OF STATES IN THEIR
RELATIONS WITH INTERNATIONAL ORGANIZATIONS (RSIO)

FOR L AND IO

1. DURING PERIOD THAT PRG ISSUE WAS ALIVE AT RSIO
CONFERENCE US DEL (SURENA) SOUGHT OUT UN LEGAL COUNSEL
(SUY) FOR CONSULTATIONS TOWARDS DEFEATING SOVIET PRG PROPOSAL.
AS REPORTED REFTEL, PRG ISSUE WAS POSTPONED AT SOVIET
BLOC REQUEST, AND THUS ISSUE DID NOT COME UP FOR
CONFERENCE DECISION. WE HAVE NO INDICATIONS WHETHER
SOVIETS WILL RAISE ISSUE LATER IN CONF. FOLLOWING
HOWEVER IS BEING REPORTED DEPT. AS BEING RELEVANT TO
POSSIBLE RE-RAISING OF PRG ISSUE AT RSIO CONF. AS WELL
AS TO RAISING OF PRG ISSUE IN OTHER CONF'S WHICH
MAY BE HELD BEFORE OPENING OF 30TH UNGA.

2. IN RESPONSE TO QUESTION WHETHER SUY, AS UN LEGAL
COUNSEL, WOULD RULE PRG ISSUE OUTSIDE COMPETENCE OF
CONFERENCE IN LIGHT OF 29TH UNGA'S INVITATION FORMULA
(I.E. "ALL STATES" IN ACCORDANCE WITH UNGA PRACTICE),
SUY (PROTEXT) SAID THAT IT WAS HIS VIEW AND THAT OF
UN LEGAL OFFICE THAT SUCH WOULD BE OUTSIDE COMPETENCE
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OF CONF. HOWEVER HE ADDED THAT SYG WALDHEIM HAS

ALREADY INDICATED (IN PUBLIC STATEMENTS REGARDING WORLD POPULATION CONFERENCE) THAT INVITATION IS FOR THE CONFERENCE TO DECIDE. ADDITIONALLY SUY INTIMATED THAT WALDHEIM HAD SENT CONFIDENTIAL RPT CONFIDENTIAL MESSAGE TO UN SECRETARIAT IN VIENNA (FOR RSIO CONF) THAT IF PRG PARTICIPATION ISSUE AROSE IT WAS FOR CONF. TO DECIDE. UNDER THOSE CIRCUMSTANCES SUY MUCH PREFERRED THAT QUESTION OF CONF. COMPETENCE NOT BE POSED DIRECTLY. HE DID NOT SAY WHAT ANSWER HE WOULD GIVE TO A DIRECT QUESTION WHETHER ISSUE WAS IN COMPETENCE OF CONF. BUT SUGGESTED IT WOULD NOT BE FULLY FAVORABLE TO U.S.

3. SUY SUGGESTED ALTERNATIVELY THAT A MORE GENERAL QUESTION BE POSED TO HIM AS LEGAL COUNSEL, NAMELY, HOW THE CONF. SHOULD BEST DEAL WITH THE QUESTION OF PRG PARTICIPATION IN THE LIGHT OF THE UNGA'S INVITATION FORMULA. SUY AGREED THAT HE WOULD BE PREPARED TO MAKE STATEMENT ALONG LINES THAT GIVEN THE ACKNOWLEDGED ROLE OF THE UNGA IN POLITICAL MATTERS, AND GIVEN THAT THE UNGA HAS DECIDED THE INVITATION FORMULA FOR THE CONF, THE BEST APPROACH WOULD BE FOR THE CONF TO DECIDE (BY VOTE) WHETHER IT WOULD REQUEST THE 30TH UNGA TO DECIDE THIS QUESTION OF PRG PARTICIPATION. THIS WOULD PERMIT THE CONF TO PROCEED WITH ITS WORK, AND, SUY SUGGESTED, WOULD TEND TO ELIMINATE DIVISIVE PRG DEBATES IN SUCCEEDING UN CONF'S TO BE CONVENED BEFORE THE 30TH UNGA OPENS. SUY ALSO THOUGHT THIS APPROACH WOULD RECEIVE GENERAL SUPPORT, AND DECREASE LIKELIHOOD THAT WE WOULD LOSE PRG ISSUE AT ANY PARTICULAR CONF.

4. SUY ASKED IF US DEL COULD SUPPORT THIS APPROACH. AT THE TIME, US DEL STATED IT WOULD HAVE TO SEEK INSTRUCTIONS. VERY SHORTLY AFTER CONVERSATION PRG ISSUE BECAME MOOT. NONETHELESS, US DEL WOULD APPRECIATE DEPT. GUIDANCE ON WHETHER WE COULD SUPPORT SUY SUGGESTED APPROACH IF PRG RAISES HEAD AGAIN.HUMES

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